

Michael F. Easley
Governor



State of North Carolina
Office of the Governor

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GOV. EASLEY DENIES CLEMENCY IN McCARVER CASE

RALEIGH - Governor Mike Easley tonight denied the clemency petition filed by Ernest Paul McCarver, a convicted murderer and Central Prison inmate scheduled for execution at 2:00 a.m. on March 2, 2001.

McCarver is on death row for the January 1987 murder of Woodrow F. Hartley, age 71, at a cafeteria in Concord, North Carolina. McCarver stabbed the victim three times in the chest and inflicted other injuries. Along with an accomplice, McCarver then robbed the victim and fled the scene.

Three years prior to the murder, McCarver was placed on probation after being convicted of felony larceny and forgery. His probation was subsequently revoked. Evidence at trial showed that McCarver blamed the 71-year old victim, with whom he had worked previously at the Concord cafeteria, and another gentleman for his probation revocation and intended to murder them both.

"I deeply appreciate the sincerity and thoughtfulness of the arguments presented to me in favor of clemency," Easley said. "However, they are outweighed by the fact that this brutal murder was planned and orchestrated by Mr. McCarver and motivated by his desire for revenge against a former co-worker. Such evidence strongly supports the jury's recommendation of death and the decision of numerous appellate judges to affirm the sentence. The victim was an elderly and hard-working man who did nothing to deserve his fate. I do not see evidence sufficiently compelling to stop the fate that a jury of his peers recommended and that the courts have upheld."

Easley gave careful consideration to the facts surrounding the crime, the guilt and penalty phases of McCarver's ensuing trials, his appeals, and his mental capacity. The Governor reviewed trial transcripts, state and federal judicial opinions, psychological reports and test results, files from the Department of Corrections, and other written submissions from prosecutors and McCarver's attorneys. Additionally, Easley reviewed submissions from widely respected and noted members of the legal and medical community.

Yesterday, Easley personally met with trial and appellate prosecutors, defense counsel and religious leaders.

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